

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re:)
)
) Chapter 9
CITY OF DETROIT,)
) Case No. 13-53846
)
Debtor.) Hon. Steven W. Rhodes
)
)
_____)

**CLAIMANT EEOC'S ANSWERS TO OBJECTION TO CLAIM
NUMBER 3657 FILED BY THE U.S. EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION ON BEHALF OF KIM
SPICER AND OBJECTION TO CLAIM NUMBER 3664 FILED BY
THE U.S. EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION ON BEHALF OF JERRY D. PATRICK**

The Equal Employment Opportunity Commission ("Commission")
by its attorney, Dale Price, Senior Trial Attorney, files this Answer to
the above entitled Objections:

1. The undersigned United States Equal Employment
Opportunity Commission ("Commission" or "EEOC") is the claimant
herein. The EEOC's address is 477 Michigan Avenue, Room 865,
Detroit, Michigan 48226. The Commission is the agency of the United
States Government charged with the interpretation and enforcement

of, as relevant here, Title VII of the Civil Rights Act of 1964 (Title VII), as amended, 42 U.S.C. ' 2000e, et seq.; Title I of the Civil Rights Act of 1991 (Title I), 42 U.S.C. 1981a, et seq.; and Title I of the Americans with Disabilities Act of 1990 (ADA), as amended, 42 U.S.C. 12101, et seq.

2. The Commission filed protective proofs of claim based on the Charges filed by Charging Parties Spicer and Patrick. The purpose of the proofs is to protect the interests of the Commission should it determine that there is reasonable cause to believe the law has been violated.

3. Subsequent to the filing, the Investigations were concluded without a cause finding, the files were closed and notices of right to sue issued to each Charging Party.

4. The closing of the files terminated any and all legal interests the Commission had in the protective proofs of claim.

5. On September 15, 2014, the Commission notified the Mediation Tribunal and DWSD's previous attorney, Steven H. Schwartz, that it was unable to and would not be seeking relief because of the file closures. Exhibit A.

6. On January 16, 2015, the Commission emailed current

counsel for the Defendant with the same information. Exhibit B.

7. To be clear, the Commission cannot and will not be pursuing proofs of claim on behalf of any claimant whose file is closed, and hereby withdraws the proofs based upon the Spicer and Patrick.

8. However, the Commission's withdrawal of claims is not and should not be read as a statement on the merits of the proofs filed individually by Spicer and Patrick, and its withdrawal is without prejudice to those proofs of claim.

Relief Requested

The Commission respectfully requests that Claim Nos. 3657 and 3664 be deemed as withdrawn.

Respectfully submitted,

/s/ Dale Price

Dale Price (P55578)
Senior Trial Attorney
Attorney for Equal Employment
Opportunity Commission
477 Michigan Avenue
Room 865
Detroit, MI 48226
(313) 226-7808/-6584 (fax)
dale.price@eeoc.gov

Dated: January 28, 2015

CERTIFICATE OF SERVICE

I hereby certify that on January 28, 2015, I electronically filed the foregoing document(s) with the Clerk of the Court using the ECF System, which will provide electronic notice and copies of such filing of the following to the parties:

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/s/ Dale Price

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Dated: January 28, 2015

EXHIBIT A

TRANSMITTED/STORED : SEP. 15. 2014 1:47PM	FILE MODE	OPTION	ADDRESS	RESULT	PAGE
4357	MEMORY TX		G3 : 3139673623	OK	1/1

E-2) BUSY
E-4) NO FACSIMILE CONNECTION



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U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Detroit Field Office

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September 15, 2014

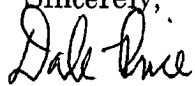
VIA FACSIMILE
(313) 967-3623 ONLY

Mediation Tribunal Association
U.S. District Court
333 W. Fort Street, Suite 1500
Detroit, MI 48226

RE: *City of Detroit Bankruptcy*
Kim Spicer and Jerry Patrick
Mediation Case Nos. **13538464** and **13538465**

To Whom It May Concern:

The Equal Employment Opportunity Commission has closed its investigations of the Charges of the above-identified individuals. Consequently, it no longer has any legal interest in any claims based upon their Charges. It cannot, and will not pursue proofs of claim with respect to their Charges, nor will it present any claims on behalf of the same in mediation.

Sincerely,

Dale Price
Trial Attorney

c: Steven H. Schwartz, Esq.

EXHIBIT B

DALE PRICE - EEOC Claims--City of Detroit Bankruptcy

From: DALE PRICE
To: ecf@kaalaw.com
Date: 1/16/2015 10:47 AM
Subject: EEOC Claims--City of Detroit Bankruptcy
CC: BIRD, KENNETH; KATAHIRA, WESLEY

Dear Attorneys Kilpatrick and Kaminski:

I am writing to you about the Objections filed on December 31, 2014. I indicated in a letter to the previous City attorney, Mr. Schwartz and to the Mediation Tribunal that we would not be pursuing claims relating to the Charges of either Mr. Spicer or Mr. Patrick because the files had been closed. Please contact me at your earliest convenience to discuss resolution of this matter.

Thank you,

Dale Price
Trial Attorney
EEOC
Detroit Field Office
477 Michigan Ave., Room 865
Detroit, MI 48226
(313) 226-7808/6584 (fax)